

LOUISIANA RECOVERY AUTHORITY

School Repairs Criteria Resolution

August 10, 2006

Summary: To adopt the criteria developed by the LRA, OCD, and Department of Education to prioritize the allocation of CDBG funds to school districts for infrastructure repairs

Whereas, Governor Blanco included infrastructure rehabilitation in the list of priorities for investment of supplemental Community Development Block Grant (CDBG) funds approved by Congress and President Bush to assist Louisiana in its recovery efforts;

Whereas, the Louisiana Recovery Authority Board, Governor Blanco, and the Joint Legislative Committee on the Budget approved Proposed Action Plan Amendment Number 2 for Disaster Recovery Funds and Amendment Number 2 is currently under consideration by the Louisiana Legislature;

Whereas, the state's first action plan set aside funds for the Local Government Emergency Infrastructure activity, for match dollars for the Federal Emergency Management Agency (FEMA) Public Assistance Grants, and for providing the non-federal match for FEMA Hazard Mitigation Grants;

Whereas, Action Plan Amendment Number 2 expands the infrastructure program to pay for repairs that are ineligible under the FEMA Public Assistance Program, including but not limited to uninsured and underinsured damages, insurance deductibles and improvements for code compliance, if they are determined to be critical to continued delivery and/or protection of vital public services by state and local government entities in accordance with established criteria;

Whereas, \$200 Million of the funds allocated for infrastructure repairs are to be allocated to Primary and Secondary Education repairs;

Whereas, Action Plan Amendment Number 2 provided that the Louisiana Recovery Authority and the Department of Education would develop criteria to prioritize the allocation of funds to school districts;

Whereas, the Louisiana Recovery Authority, the Office of Community Development and the Department of Education collaborated to develop criteria to prioritize the allocation of CDBG funds to school districts for infrastructure repairs in parishes impacted by Hurricanes Katrina and Rita; and

Whereas, the criteria developed by the LRA, the Office of Community Development, and the Department of Education outline the application process, eligibility requirements, and

facility design practices that school districts directly impacted by Hurricanes Katrina and Rita must follow to request CDBG funds to pay costs deemed ineligible for reimbursement by FEMA to rebuild schools.

THEREFORE BE IT RESOLVED, that the Louisiana Recovery Authority Board does hereby adopt the below criteria developed by the Louisiana Recovery Authority, the Office of Community Development, and the Department of Education in order to prioritize the allocation of CDBG funds to school districts for infrastructure repairs.

CDBG Disaster Recovery Funds

Eligibility Criteria

Level I – District

1. The school district's parish must have been declared eligible for FEMA Public Assistance for Rita and/or Katrina.
2. The school district's parish must have adopted the latest available base flood elevations of the FEMA Flood Recovery Guidance, unless exceptions have been granted to the parish by the LRA.
3. The school district's parish must have adopted, implemented, or be in the process of implementing, the new statewide building code standards adopted in the 2005 1st Extraordinary Session of the Louisiana Legislature.
4. The school district must be able to demonstrate that it has conducted or participated in a planning process that is integrated with parish, community, and/or neighborhood recovery planning efforts.
5. The school district must be able to demonstrate that its plans for school repair/reconstruction are based on the best available enrollment estimates for that district for the school years '06-'07, '07-'08, and '08-'09, considering population shifts since the storms. This demonstration must include a list of the schools to be reopened and a plan for how these particular schools will meet the needs of the estimated enrollment.
6. The school district will provide assurances and certificates testifying to its adoption of the following: all CDBG and FEMA regulations; all federal and state laws relative to procurement and ethics; agrees to accept CDBG signoff on any insurance settlements or judgments, or to assign litigation rights to CDBG; maintain appropriate documentation; provide timely updated information required by CDBG relative to rebuilding costs; maximize other sources of funding; and provide other assurances as required by CDBG funding regulations.

Level II – School

1. The school at which the project is proposed must be listed as one of the schools to be reopened to meet the needs of the estimated enrollment in its school district.
2. Applicant must be able to demonstrate that they have pursued FEMA Public Assistance grants for the proposed project(s) to the maximum practical extent and that those applications have been determined to be ineligible for such assistance. Applicant must also be able to demonstrate that they have pursued insurance reimbursement to the maximum extent practical.
3. Plans for school repair/reconstruction must consider and/or propose a mitigation plan to minimize damage in the event of future floods or hurricanes.
4. Applicant must demonstrate that the project is the most efficient and cost effective way to repair/reconstruct the school, or that the applicant has considered alternate methods of rebuilding to achieve the greatest efficiency of the school in serving the educational needs of the students as well as other public service needs of the community.
5. Applicant must demonstrate that the following school design best practices, which are detailed under the “Evaluation Criteria” section, have been considered, and included to the extent practical, in the design of the repair/reconstruction project:
 - a. Design Schools that Support Students and Learning as the Primary Consideration
 - b. Enhance Learning by Integrating Technology
 - c. Foster a Small School Culture
 - d. Support Neighborhood Schools
 - e. Create Schools as Centers of Community
 - f. Engage the Public in the Planning Process
 - g. Make Healthy, Comfortable, and Flexible Learning Spaces
 - h. Consider Non-Traditional Options for Schools Facilities and Classrooms
6. Applicant must commit to an ongoing maintenance plan for this facility and demonstrate how this maintenance plan will be funded.

Evaluation Criteria

Identification of Need

Applicant must describe and demonstrate critical need for these funds based on a description of the dollar amount of each of the following for each project:

- amount of damage identified and percentage this represents of damage to school facility
- amount eligible for FEMA PA grant
- amount needed for FEMA match of the grant
- underinsurance penalties
- amount of damage that must be covered with CDBG Infrastructure Program funds as a result of lack of insurance coverage
- amount needed for FEMA-ineligible repairs, not including lack of insurance issues

Students Served

CDBG regulations stipulate that more than 50% of the total amount of funding must benefit low/moderate income population. Consequently, projects to reconstruct schools that serve large numbers of low/moderate income students will be given preference.

Green Building

Preference will be given to projects that include elements of green building, as measured by the nationally recognized LEED (Leadership in Energy and Environmental Design) Green Building Rating System. Among others, LEED standards emphasize sustainable site development, water conservation, maximizing energy efficiency, building facilities using renewable materials, and improving indoor environmental quality.

Project Timing

Each project should be categorized as one of the following:

- Short-Term: Repairs/reconstruction needed to open schools at some point during the 06-07 school year
- Long-Term: Repairs/reconstruction needed to open schools during the 07-08 school year and beyond

Note: Facility design criteria will not be applied to applications that represent simple, direct-replacement projects, as determined by the staff assessment team.

Facility Improvement Criteria for Long-Term Repairs/Reconstruction

Projects that incorporate the following school design best practices, including the principles developed by the American Architectural Foundation and KnowledgeWorks, will be preferred.

1. Design Schools that Support Students and Learning as the Primary Consideration

- provides space for teacher planning, conferences, and professional development, other than the teachers' lounge
- building details, color schemes, and materials are durable and appropriate for intended use
- provides learning spaces in a variety of sizes
- lighting is adequate for tasks with light levels that can be adjusted for a variety of uses
- provides adequate and appropriate space for early childhood programs in schools of appropriate grade configuration

- provides adequate and appropriate space for activities and care of children with special needs
- provides adequate and appropriate space for science labs, foreign language labs, and programs and activities in the areas of music, drama, and the arts
- areas are provided for student socialization

2. Enhance Learning by Integrating Technology

- access is provided to non-traditional technology learning, such as a TV studio and a media program
- personal computing is easily accessible as needed
- connection is available with local and worldwide learning resources

3. Foster a Small School Culture

- schools are organized to promote a small, personalized learning environment, in the appropriate context
- flexible facilities for different sized group work
- technology is in place to support distance learning as an enhancement to on-site classes and other activities as appropriate

4. Support Neighborhood Schools

- located within walking distance of homes and other resources, to the extent practical
- land is available and zoning is appropriate to support a neighborhood school site, subject to local restrictions and/or zoning ordinances
- building design and site layout are responsive to community context

5. Create Schools as Centers of Community

- schools share facilities, as appropriate, with:
 - o libraries
 - o recreational centers
 - o performing arts venues
 - o healthcare, including school-based health clinics
- school site is large enough to meet both educational and community needs, to the extent practical
- parking is adequate to support a variety of programs without intruding on the neighborhood, to the extent practical

6. Engage the Public in the Planning Process

- a support organization of school and community stakeholders is assembled
- a process is in place to obtain input from and provide feedback to stakeholders

7. Make Healthy, Comfortable, Safe, and Flexible Learning Spaces

- spaces are designed with minimal fixed furniture (e.g., bookcases, shelves, etc.)
- furnishings are flexible and durable
- building acoustics provide for appropriate ambient sound levels
- building is user-friendly and easy to monitor for safety and security
- access to the building is effectively monitored
- site circulation is planned for safety and efficiency
- ample space is provided in protected areas for student safety in the event of natural disasters
- storage is adequate for a variety of users

8. Consider Non-Traditional Options for Schools Facilities and Classrooms

- facilities are designed to accommodate handicapped students and staff, and to follow the regulations of the Americans with Disabilities Act
- community resources have been identified as opportunities for collaboration (e.g., local business partners)